

015

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

KEITH RANIERE, ALLISON MACK, CLARE
BRONFMAN, KATHY RUSSELL, LAUREN
SALZMAN, and NANCY SALZMAN,

Defendants.
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NICHOLAS G. GARAUFIS, United States District Judge.

ORDER

18-CR-204 (NGG) (VMS)

The court has received submissions regarding postponement of the trial date in this case from Defendant Keith Raniere (Raniere Jan. 11, 2019 Letter (Dkt. 280)); Defendants Clare Bronfman, Nancy Salzman, and Kathy Russell (Bronfman, Nancy Salzman, and Russell Mem. in Supp. of Mot. to Sever (“Bronfman Mot. to Sever”) (Dkt. 276) (under seal) at 23-24); Kathy Russell Jan. 11, 2019 Letter (Dkt. 281)); and the Government (Gov’t Jan. 11, 2019 Letter (Dkt. 279)). The court revises the trial schedule as follows:

- The parties shall provide the court with proposed jury questionnaires by no later than March 18, 2019.¹
- Potential jurors will fill out the questionnaires during the morning and afternoon of April 8, 2019.²
- The court will conduct juror interviews on April 15, 2019; April 16, 2019; and April 17, 2019 (if necessary).³
- Opening statements and evidence presentations will begin on April 29, 2019.⁴

¹ The previous deadline was February 11, 2019. (Jan. 9, 2019 Min. Entry.)

² This was previously scheduled for March 5 and 6, 2019. (Jan. 9, 2019 Min. Entry.)

³ This was previously scheduled for March 13, 14, and 15, 2019. (Jan. 10, 2019 Order.)

⁴ The trial was previously scheduled to begin on March 18, 2019. (Oct. 15, 2018 Order.)

The Government's request for an extension of its deadline to move to admit enterprise and other act evidence (Gov't Jan. 11, 2019 Letter at 2) is DENIED without prejudice. Maintaining the current deadline is necessary to accommodate Russell, Bronfman, and Nancy Salzman's request that the deadline be at least 90 days before the trial date.⁵ (Russell Jan. 11, 2019 Letter at 3.) If the court extended the Government's deadline, it would have to further postpone the trial date, which would conflict with Raniere's justifiable desire to have the trial commence soon as possible (Raniere Jan. 11, 2019 Letter). Additionally, all other deadlines in this case—including pretrial motion deadlines—remain in place.

As this case has been designated complex (Sept. 18, 2018 M&O (Dkt. 138)), and three of the defendants (see Bronfman Mot. to Sever at 23-24; Russell Jan. 11, 2019 Letter) as well as the Government (Gov't Jan. 11, 2019 Letter) have requested an adjournment of the trial date, time is excluded under the Speedy Trial Act until April 29, 2019. See 17 U.S.C. § 3161(h)(6), (7).

SO ORDERED.

Dated: Brooklyn, New York
January 14, 2019

s/Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge

⁵ The Government's motion to admit enterprise and other act evidence is due by no later than January 30, 2019. (Dec. 6, 2018 Min. Entry (Dkt. 232) (setting January 28, 2019, as the deadline for this motion); Jan. 9, 2018 Min. Entry (stating that the court granted the Government's application to extend the briefing deadlines for all pretrial motions by two days).) January 30, 2019, is 89 days before April 29, 2019 (the new trial date).